IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.5764 OF 2005

Gram Panchayat Village Nayari & Anr. ...Petitioners.
Vs.
State of Maharashtra & Ors. ...Respondents.

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Mr. C. J. Sawant, Sr.Advocate with Mrs.Kotwal i/b. Divekar & co. for the Petitioner.
Mrs. M.P. Thakur, AGP for Respondent Nos.1 and 4.
Mr. Sukanta Karmarkar i/b. Mr.U. V. Bhanawade for Respondent No.3.

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CORAM : F. I. REBELLO AND
DR.D.Y.CHANDRACHUD, JJ.

February 22, 2006.

P.C.

As the Primary Health Centre has already been established in January 2005 at Kond-Umre, it will not be appropriate at this stage to interfere in the exercise of the extraordinary jurisdiction.

However, considering the fact that earlier, the Primary Health Centre was being run at Nayari, in the event that the Government proposes to start a new Primary Health Centre in the Taluka or by virtue of change of policy, another Primary Health Centre is possible, the claim of the Petitioner-Village Panchayat will be first considered.

With the above observation, the Petition stands disposed of.

(F. I. Rebello, J.)

(Dr.D. Y. Chandrachud, J.)